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Summary record of the 1635th meeting
Held at the Palais des Nations, Geneva, on Thursday, 25 October 2018, at 10 a.m.

Chair: Ms. Leinarte

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of the Bahamas

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of the Bahamas (CEDAW/C/BHS/6; CEDAW/C/BHS/Q/6 and CEDAW/C/BHS/Q/6/Add.1)

1. *At the invitation of the Chair, the delegation of the Bahamas took places at the Committee table.*

2. **Mr. Campbell** (Bahamas), introducing the sixth periodic report of the Bahamas (CEDAW/C/BHS/6), said that the complexity of promoting the economic, social, cultural and political rights of Bahamians and visitors to the islands in a country composed of 700 islands, spread over an area of 100,000 square miles of sea, continued to be a challenge for the administration. That challenge was increased by the economic and financial crisis, unemployment, crime, more frequent and intense natural disasters, the cost of accessing smaller inhabited remote islands known as the Family Islands and porous borders that allowed undocumented migration. Nevertheless, the Government reaffirmed its commitment to defending all human rights, as was demonstrated by its successful election to the Human Rights Council for the 2019–2021 term. The Bahamas was thus the first Commonwealth Caribbean country to serve on the Council. As a member of the Council, the Bahamas had pledged to contribute to advancing women's rights at the national and international levels. The Government would make every effort to achieve the full implementation of the Convention and of the Committee's recommendations.

3. However, the process towards the elimination of discrimination was a journey, not a destination. The Bahamas had only 45 years' experience as an independent nation, and its democratic machinery was sometimes slow. The Government had held two constitutional referendums, in 2002 and in 2016, on amendments to provisions concerning fundamental rights and women and anti-discrimination. Despite an aggressive, multi-stakeholder awareness-raising campaign and the fact that women represented 53 per cent of eligible voters, Bahamians had voted against the proposed constitutional amendments. The Government was therefore working to amend its legislation with the goal of promoting gender equality and had also, during the reporting period, introduced new legislation that protected women and ratified two United Nations human rights treaty body optional protocols and two United Nations human rights conventions.

4. The Government strove to create an enabling environment for the empowerment of women, and the very many notable achievements of Bahamian women in Parliament, in the judiciary and in other important areas of public life bore witness to that effort. The Department of Gender and Family Affairs had seen its budget increase by 250 per cent. Its specific objectives included implementation of the strategic plan to improve gender equality and of the National Strategic Plan for Ending Gender-Based Violence, strengthening relations with non-governmental organizations (NGOs) and updating the National Gender Equality Policy, shortly to be submitted to the Cabinet. The Department had also launched a number of other initiatives, including: school and community awareness-raising campaigns on topics such as sexual harassment; seminars and other activities on the Convention; a survey to assess the needs of, and challenges faced by, women and girls in the Family Islands; and partnerships with civil society organizations.

5. The Government sought to eliminate cultural and traditional practices that perpetuated discrimination and gender stereotyping of women and to raise the profile of the Convention through: education and the media; the activities of the Domestic Violence and Counselling Unit; initiatives to reduce the spread of sexually transmitted diseases; and partnership with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). It was also providing trafficking in persons training to the police and defence forces. In that connection, in 2018, the Bahamas had been ranked as a tier 1 country in the United States Department of State Trafficking in Persons Report. The Government also continued to enter into financial partnerships with NGOs and religious organizations to facilitate their work in support of victims of violence through shelters and counselling services. The police had been given training to assist them in dealing with cases

of gender-based violence. The Government continued to work to increase women's participation in political and public leadership. In a number of areas, including education, the judiciary and the public service, parity or higher levels of participation by women had been attained, although, in the general election held in May 2017, only 21 per cent of elected representatives were women. Many forms of discrimination against women in education had been eliminated by the action of successive governments, and scholarships for school and university education went to many more female than male students.

6. The Bahamas upheld the principle of equal pay for work of equal value, and the National Gender Equality Policy, when implemented, would address any disparities that still existed in the private sector. The Government had made considerable investments in the health-care sector in 2017, and antenatal, postnatal and other sexual and reproductive health care was free throughout the country. It recognized the inconsistency in laws regarding the age of sexual consent and the minimum age for access to birth control without permission from parents or guardians. The major causes of female mortality in the Bahamas included heart disease, breast cancer and diabetes.

7. The Government was committed to the economic and social empowerment of women. It had established the Bahamas Development Bank to promote economic development through the financing of sustainable projects sponsored by Bahamians. The Department of Social Services provided assistance to women, including to rural women, such as financial assistance, health care, temporary accommodation and food. Persons who could not afford a lawyer were referred to the legal aid services. The Eugene Dupuch Law School Legal Aid Clinic also provided free legal assistance to the public. The Government would ensure that women in Family Islands had access to services, training, employment opportunities and social equity schemes. It had allocated 25 million Bahamian dollars (B$) to support micro, small and medium-sized enterprises and had observed an increase in registration of cooperatives mounted by rural women.

8. Women in the Bahamas shared many equal opportunities with men under the law, including the rights to enter bids for government contracts, to administer property, to appear in court or before tribunals and to purchase a home. Women and men had equal rights with respect to marriage, divorce, adoption and raising of children. Specific magistrates' courts and Supreme Courts were assigned to apply family law in questions of child maintenance and custody, domestic violence protection orders, guardianship and adoption.

Articles 1 to 6

9. **Ms. Halperin-Kaddari** said that the Government's failure to obtain a favourable result on its two referendums to amend the Constitution was very distressing. She would like to know whether it was prepared to establish a definite time frame to achieve constitutional reform, with a referendum preferably to take place not more than 18 months following a general election under an inclusive, non-partisan agreement and with the participation of civil society. As constitutional reform could be a lengthy process, she asked whether the Government would consider in the meantime taking the less demanding path of amending existing legislation, such as the Nationality Act. Such an approach could include identifying shortcomings in the existing legislation and taking steps to protect women from election discrimination or from violence or prohibiting discrimination against lesbian, bisexual, transgender, queer and intersex persons.

10. She asked if the Government would consider adopting specific mechanisms to give women access to remedies when subjected to intersectional discrimination. Gender stereotypical perceptions and deeply entrenched discriminatory attitudes appeared endemic in the Bahamas and could be seen as the cause of the failed referendums. They also persisted within the judiciary. She would like to know whether there was specific training for the judiciary on the Convention, gender equality and human rights and whether a complaints mechanism was in place to enable women to seek redress for biased rulings reflecting stereotypical attitudes made against them. She asked what measures the Government was taking to raise awareness and the visibility of the Convention and whether it had been cited during court proceedings. During the 2013 universal periodic review, the Bahamas had pledged to ratify the Optional Protocol to the Convention. She asked whether

the Government had established a timeline for doing so. It would also be helpful to know whether a national human rights institution would be established.

11. **Mr. Campbell** (Bahamas) said that, following the vote against constitutional reform in the referendums, the Government was now considering legislative amendments to bring the national law into line with the Convention. The revision should be completed by the end of 2019. Regarding the complaints mechanism for rulings deemed to be discriminatory, access to the courts in the Bahamas was free and, for those who could not afford legal counsel, the Legal Aid Clinic could provide assistance. In respect of interaction with civil society, the Government was very much in favour of the participation of NGOs and civil society organizations and welcomed their input.

12. **Ms. Major** (Bahamas) said that the Attorney General had asked the judiciary to review all legislation to ensure that they included a non-discrimination clause. While certain legislation, such as the Employment Act, the Industrial Relations Act and the Bahamas Bar (Code of Professional Conduct) Regulations, included such clauses, the Education Act did not. The review process was thus going ahead.

13. **Ms. Gibson** (Bahamas) said that, in July 2013, the Constitutional Commission had issued a recommendation to establish an ombudsman's office as the national human rights institution, and a bill establishing such an office had been brought before Parliament in 2017. The bill had then been referred to the Office of the Attorney General where it was currently under review to ensure compliance with the recommendation, made during the universal periodic review, that the national human rights institution should comply with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

14. **Mr. Campbell** (Bahamas) said that the ratification of the Optional Protocol to the Convention was under consideration, though he was unable to give a specific timeline.

15. **Ms. Major** (Bahamas) said that members of the judiciary received no official training on the Convention. However, training was provided to members of the national reporting cooperation mechanism.

16. **Ms. Halperin-Kaddari** said that she would be interested to know whether the State party would consider introducing a structured judicial training programme that covered not only the Convention but also gender-related issues including violence against women and the elimination of stereotypes. She asked whether the Convention was taught as part of the curriculum of international and human rights law courses at the University of the Bahamas. She wished to know whether the State party would adopt any legislation to prohibit discrimination based on sexual orientation and gender identity, which was a prerequisite for the comprehensive protection of women's rights.

17. **Ms. Major** (Bahamas) said that the Convention was indeed covered as part of the international law curriculum.

18. **Mr. Campbell** (Bahamas) said that the Department of Gender and Family Affairs sought to raise awareness of the Convention among all government ministers. The Government remained committed to making progress in combating discrimination on grounds of sexual orientation and there had been some developments, although the traditional values of the country's people posed an obstacle in that regard.

19. **Ms. Higgs** (Bahamas) said that, when she had assumed her position as Director of the Department of Gender and Family Affairs three months before, she had spent many hours going through the noble and just Convention. The Department had approached Cabinet members, most of whom were newly appointed, and the Prime Minister with its report to the Committee. It had also drafted a communication in preparation of the meeting with the Committee that had recently been read out in Parliament. In addition, the President of the Senate, who was a woman, was supposed to be on the delegation but had been prevented from attending because of an emergency. Nevertheless, she, too, had issued a communication with regard to the Convention and its importance for promoting gender equality. Lastly, the Department had recently met with the first lady in an effort to involve her in speaking on its behalf.

20. **Ms. Arocha Domínguez** said that she would appreciate comments from the delegation concerning the complaints procedures for women victims of violence who lived in close-knit communities. While in theory women were fully entitled to access to the justice system, in many parts of the Bahamas, especially the Family Islands, many women were reluctant to report incidents to the authorities for fear of stigmatization in their communities, which, in practice, meant that their access to justice was restricted.

21. **Mr. Campbell** (Bahamas) said that, during the HIV/AIDS epidemic, for example, persons living with HIV/AIDS had been reluctant to seek medical assistance because of the associated stigma. However, a series of educational and awareness-raising campaigns removed much of that stigma and persons living with HIV/AIDS were much more likely to come forward. Similar campaigns were currently being carried out with regard to women's rights.

22. **Ms. Major** (Bahamas) said that circuit magistrates travelled around the islands with small populations to hear cases. Island administrators also had access to videoconferencing systems to allow most cases to be heard remotely.

23. **Ms. Eghobamien-Mshelia** said that she would be interested to learn whether the "Renewing, Inspiring, Sustaining and Empowering" conditional cash transfer programme had succeeded in reducing the percentage of the female population living below the poverty line to under 12.8 per cent. Noting the achievements of women listed in the State party's report, which included appointments to high-level posts and awards for outstanding work, she wondered whether those achievements had been used to establish procedures or mechanisms for achieving and sustaining equality in various fields. Given that it had taken 39 years after the inception of the national airline for a woman to be appointed to the rank of captain, she would be glad to learn what measures were in place to prevent such a gross exclusion and marginalization of women in the future. It would be useful to hear whether any quotas or criteria had been established to bolster, in a systematic manner, the representation and leadership of women in key areas. She was concerned by figures submitted by the State party suggesting that fewer women had held qualifications in technical fields and no women had graduated with a degree in agriculture.

24. The upgrading of the Bureau of Women's Affairs to the Department of Gender and Family Affairs was a welcome move. It would be useful to know what other body, if any, was responsible for the implementation of the Convention and what oversight or coordinating role the Department had been assigned over other ministries, departments and agencies beyond advocacy, awareness-raising and the organization of annual and ad hoc events. She asked when the national policy on gender equality would commence. She wished to know if any guidelines, standards and quality assurance mechanisms were in place to enable the Department to fulfil its mandate in accordance with the Convention and, if not, whether there were any good indicators of a gender-responsive approach to the Department's work.

25. She would appreciate an evaluation of the impact of the six-week "Leadership for Women in Politics" course in terms of encouraging women to enter politics. Had a methodology been established for setting benchmarks for temporary special measures? She wondered whether any innovative temporary special measures had been adopted in areas outside of the political sphere and what measures were required to achieve equality targets in those areas. She would be interested to know whether the State party would consider leveraging existing policies and programmes by including new targets, indicators and accountability measures to bridge gender gaps, tackle discrimination and dismantle any persistent barriers to the fulfilment of women's rights. For example, the State party might use data on sexual offences to establish patterns and problems and use the Gerace Scholarship and the Technical Cadet Corp Programme as mechanisms for bridging gender gaps in the education and employment sectors. Furthermore, a science, technology, engineering and mathematics (STEM) element might be incorporated into the Scholarship to advance women in those fields. Given that monitoring and evaluation were key elements for ensuring the effectiveness of temporary special measures, she enquired whether the State party intended to set up a knowledge management and information system to build on the current use of temporary special measures in implementing the national gender policy.

26. **Mr. Campbell** (Bahamas) said that agriculture was taught at a specialized school and the first cohort of graduates, who included women, had recently completed the course.

27. **Ms. Higgs** (Bahamas) said that the Department of Gender and Family Affairs established in 2016 had originally been allocated B$ 350,000 and its budget had increased to some B$ 2 million under the previous government. Since then, additional personnel had been seconded from other ministries to address the shortage of staff and supplement the existing team of five members. Furthermore, qualified staff members had recently been hired to improve the Department's research, data collection and reporting functions, and the University of the Bahamas would also provide research assistance in the future. The country's gender policy had expired and was currently being updated with the help of experts from the University of the Bahamas and other Caribbean countries. The "Renewing, Inspiring, Sustaining, and Empowering" programme had been a pilot project established in conjunction with the Inter-American Development Bank and had also come to an end; however, some of the services it offered continued to be available through other social programmes.

28. No quota system for women political candidates was in place. Nonetheless, the Department intended to organize an event in November 2018 for women interested in running as candidates and those who wished to sponsor or mentor female candidates, where training on branding, fundraising and campaigning skills would be offered. Lastly, the Department had provided equipment, grants and training to would-be female entrepreneurs on four of the Family Islands.

29. **Ms. Eghobamien-Mshelia** said that, while the State party's efforts to build a national women's machinery were commendable, national policy alone could not advance women's rights. A dynamic team with experts from different sectors was required to ensure that sectoral targets were properly set and the actions taken could be monitored effectively.

30. **Ms. Acosta Vargas** said that discriminatory stereotypes had existed in the State party for some time. The exercise of male authority in private contexts was frequently justified by religious beliefs and led to misogyny and gender violence. She had the impression that insufficient action was taken to address acts of violence against economically disadvantaged young girls, who were forced to engage in sexual transactions in order to earn an income.

31. She noted with concern that domestic violence was deemed to be acceptable not only by men but also occasionally by women. Such prejudices had impeded the advancement of women and society as a whole, especially when officials invoked them to restrict women's rights. The Special Rapporteur on violence against women, its causes and consequences had stated in her report on a visit to the Bahamas in December 2017 (A/HRC/38/47/Add.2) that there was no social awareness of the linkage between sexual stereotypes and gender-based violence against women and girls. She wondered why, given the State party's political will and proactive attitude, no vigorous action had been taken to eradicate prejudice and to raise awareness of stereotypes among public officials. She asked whether officials were sanctioned when they demonstrated such attitudes and whether there was a plan to alert the general public to their negative impact.

32. There were alarming indicators of gender-based violence. For instance, femicide was increasing and called for urgent action. As it was frequently related to the possession of weapons, especially small arms, she asked whether the State party planned to restrict private access to such weapons. Domestic violence was reportedly a widespread phenomenon and was rarely reported because it was regarded as a private matter. Both male and female children were subjected to physical punishments which, according to experts, frequently triggered violent conduct later in life. Women with disabilities, lesbians, bisexuals, transsexuals and intersex women were also exposed to gender-based violence and failed to report it out of fear or because of the lack of channels through which they could submit complaints.

33. She asked when the State party intended to adopt the amended version of the bill drafted in 2016 to address different categories of gender-based violence, including domestic violence. As the Sexual Offences Act reportedly defined rape as an act perpetrated against the will of unmarried adult women and girls under 14 years of age, she asked whether the

State party intended to amend the Act in order to align it with international standards. She also wished to know whether it planned to impose tough measures to combat child abuse in both families and schools.

34. There were unacceptable delays in addressing reports of gender-based violence in the justice system. Furthermore, action was taken only when the violence was imminent or had already occurred. As preventive action was extremely important, training courses should be organized for all law enforcement officers.

35. **Ms. Chalal** welcomed the measures taken by the State party to combat trafficking in persons, including the increase in financial and human resources allocated for the implementation of the 2014–2018 national anti-trafficking strategy and action plan, and commended its ranking as a tier 1 country in the United States Department of State Trafficking in Persons Report 2018. The Bahamas was both a transit and destination country for trafficking from other countries in the region, primarily for sexual exploitation. She asked whether the State party had adopted a definition of trafficking in persons, which was frequently confused with migrant trafficking. Notwithstanding the existence of a relevant legal framework, victims were rarely identified and perpetrators were rarely prosecuted. She asked whether the Inter-Ministry Committee for Trafficking in Persons and the Trafficking in Persons Task Force had assessed the scale of the phenomenon and identified trends and profiles. She also wished to know whether cooperation agreements had been concluded with countries that were the source of victims of sexual exploitation or domestic servitude. If victims without identity documents were unwilling to return to their countries, could they apply for permanent residence in the State party? She asked whether there were special shelters for trafficking victims that offered psychological and medical care and whether sufficient budgetary funds were allocated to the Department of Social Services for the performance of its duties.

36. Although prostitution was punishable by a prison term of up to 5 years in the State party, article 10 of the Trafficking in Persons Act protected trafficking victims from such penalties. Yet fear of imprisonment or expulsion frequently deterred victims from reporting forced prostitution. She asked whether action was being taken to persuade victims to collaborate with the competent authorities so that the perpetrators were arrested. She would appreciate data concerning such cases, the decriminalization of sex work and the services offered to women and girls wishing to be released from such work. She also enquired about action to combat sex tourism involving children. As children born of foreign parents who did not automatically receive Bahamian nationality were particularly vulnerable, she asked what measures were being taken to protect them from exploitation.

37. **Ms. Higgs** (Bahamas) said that the national gender equality policy was well structured. However, it would take time to implement systematic projects and to create the alliances required to raise all citizens' awareness of the problems of gender-based violence and persistent stereotypes. Action to address the stereotypical school curriculum was a key challenge. In addition, guidelines against unacceptable traditional stereotypes had been developed for after-school programmes in urban areas. The National Task Force for Ending Gender-Based Violence implemented a programme designed to assist boys in identifying stereotypes and to reform their conduct. A national early prevention programme targeted male and female students who had experienced violence and provided for both formal and informal therapy. In addition, Queen's College implemented a programme called the Seven Habits of Successful Families.

38. The question of lesbian, gay, bisexual and transsexual persons had been raised during the 2016 gender referendum. The Minister of Social Services and Community Development and a team from the Ministry had met with representatives of the community and had agreed that discussions should be held on challenges and the way forward.

39. **Ms. Major** (Bahamas) said that attempts had been made since 2003 to amend the Sexual Offences Act to include a provision criminalizing marital rape. A draft amendment tabled before Parliament in 2003 had been withdrawn owing to the opposition of civil society. Robust consultations had been launched in January 2018. The initial draft, which had provided that offenders should be charged with aggravated sexual abuse, had not received strong support. The second draft had referred to spousal sexual abuse but omitted

the term rape. Consultations were continuing and agreement had been reached that marital rape existed and should be prosecuted.

40. **Mr. Campbell** (Bahamas) said that the State did not adopt a passive approach to domestic violence. Vigorous action was being taken to reduce all forms of crime. Owing to the country's porous borders, the proliferation of illegal firearms was a challenge. When there was evidence of wrongdoing by law enforcement officers, they were prosecuted. The increase in reports of domestic violence could be partly due to greater confidence among aggrieved persons that remedies were available. The Government encouraged them to submit complaints, including against officers who failed to take action. As persons with disabilities and persons who were economically marginalized were clearly more vulnerable, it was essential to focus on their empowerment so that they were sufficiently confident to submit complaints. There had been a 50 per cent decrease in the incidence of rape between 2013 and 2017. However, the attention given to the problem remained unabated, regardless of the number of cases reported.

41. **Mr. Williams** (Bahamas) said that he wished to reaffirm his country's commitment to combating trafficking in persons. The Inter-Ministry Committee for Trafficking in Persons was responsible for policy initiatives and the Trafficking in Persons Task Force dealt with care for victims and the detection and prosecution of perpetrators. The political will to establish a trafficking in persons secretariat existed. It was a matter of identifying financial and human resources and finding creative ways of establishing a long-term mechanism that would provide additional support for research aimed at establishing trends and profiles.

42. The Bahamas, Cuba and Haiti had acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Negotiations were currently under way with Dominican Republic, Mexico, Jamaica, Colombia, the Bolivarian Republic of Venezuela and Panama on cooperative action to combat trafficking in persons.

43. The Government endeavoured to implement a victim-centred approach. There were no care homes, but victims were housed individually and children were not separated from their families. Access to education, health care, scholarships, clothing and food was financed primarily by the Government, but support was also provided by NGOs and the International Committee of the Red Cross. There was a dedicated budget for trafficking in persons, but different ministerial agencies were involved in the process and those responsible for social services had a far larger budget.

44. **Ms. Major** (Bahamas) said that prostitution was still an offence under the Vagrancy Act and its decriminalization had not been discussed to date. The penalty was B$ 20 or a 2-month prison sentence. However, prosecutions were very rare on account of lack of evidence and most arrested persons were released.

45. **Mr. Campbell** (Bahamas) said that the Ministry of Health organized workshops and seminars on the problem of prostitution and offered a wide range of assistance to persons who had been forced into prostitution. Such persons were not regarded as suspects but as victims. Corporal punishment in schools was a measure of last resort and was administered by a specific person who was tasked with preventing abuse. If evidence existed of a threat of harm, which constituted an offence, and the evidence was corroborated by a complaint of domestic violence, the perpetrator would be prosecuted.

46. **Ms. Acosta Vargas** said that the Government had announced, in response to questions raised during the third cycle of the universal periodic review concerning the strategic plan to address gender-based violence approved in 2016, that it was seeking to obtain the requisite funds. She asked whether the strategic plan was being implemented. The Committee had been informed that some groups of human rights defenders considered that their freedom of speech was not adequately upheld. She asked whether measures were being taken to guarantee their freedom of speech. She also wished to know which institution collected data concerning violence in the State party.

47. **Ms. Arocha Domínguez** said that if a public official or politician implied that when a woman wore an unduly short skirt it was her own fault if she was raped, action should be taken to highlight the inaccuracy of such perceptions.

48. **Ms. Chalal** asked whether the State party intended to implement the recommendation by the Special Rapporteur on trafficking in persons, especially women and children, on the establishment of a secretariat to coordinate action against trafficking and to promote cooperation with other entities throughout the region.

49. **Mr. Bergby** said that while the attempts to amend the Sexual Offences Act to recognize marital rape as aggravated sexual abuse were a step in the right direction, the State party's obligations under the Convention required it to define such abuse as rape, regardless of the relationship between the perpetrator and the victim. The one-year time limit for reporting might also deny access to a remedy for persons who had taken a long time to leave an abusive relationship.

50. **Mr. Campbell** (Bahamas) said that the authorities were determined to pursue the dialogue aimed at properly labelling marital rape in the country's legislation. He was familiar with the plight of undocumented women, especially from Haiti. However, given the open line of communication between the Bahamas and Haiti, an appropriately humane procedure was followed. The Bahamian Government had allocated funds for the speedy repatriation and proper accommodation of undocumented women during their stay in detention centres, including visits from family members living in the Bahamas and access to medical and legal assistance. Public service announcements, especially on trafficking in persons, were made in Creole to ensure that aggrieved persons were aware of the possibility of redress.

51. **Ms. Higgs** (Bahamas) said that the Strategic Plan to Address Gender-Based Violence, which had been published in 2016, was a very powerful document. Produced with the help of United Nations experts, it had been held up as a potential model for the Caribbean. The Department of Gender and Affairs was gradually moving towards implementation, which would have an estimated minimum cost of B$ 9 million and would require a secretariat, an external oversight body and staffing. Staff recruitment was complete and training was under way.

52. The report had recommended 10 practical initiatives that could feasibly be implemented without delay. Seven were already under way, two of them in cooperation with well-established NGOs. The "Reclaiming our boys" project was due to start in January 2019, while, as part of the "Sexual assault response team" project, over 400 police and Royal Bahamas Defence Force officers had been given special sensitization training on dealing with victims. As yet there was no State programme for perpetrators but her Department was considering a proposal to adopt a programme for perpetrators run by the Roman Catholic Church.

53. **Mr. Campbell** (Bahamas) said that the collection of data on gender-based violence was a collaborative effort between the police, the health services and social services. On the question of freedom of speech in respect of human rights defenders, he said that the rights to freedom of speech and freedom of association were constitutional rights. However, in practice there was some distance still to go in creating a culture of dialogue and coexistence and mutual respect between groups holding opposing views.

Articles 7 to 9

54. **Ms. Nadaraia** said that she wished to commend the State party on its progress with regard to women's representation in public and political life. Although the number of women appointed to the Senate had nearly doubled, the already low number of women elected to the lower house of parliament had decreased even further between 2012 and 2017. There were more women in prominent positions and the major parties had all committed to putting forward women candidates. However, overall women's representation had still not reached the 40 per cent mark; the percentage of women in the House of Assembly had in fact fallen and women were still not well represented at the local level.

55. She would like to know what strategies were in place to strengthen women's representation in leadership and in decision-making positions, both in political bodies and in public administration. She enquired whether the State party intend to provide incentives such as additional funding for political parties to nominate equal numbers of women and men as candidates, or to encourage the broadcasting media to increase their coverage

during election campaigns. She wondered whether minorities were represented in Parliament and the Cabinet and what strategies were in place to create an enabling environment for the political participation of disadvantaged groups of women.

56. The Bahamas had made great strides in women's rights within civil society, which had expanded considerably, but there were still leadership gaps to be filled if the women's movement was to be rejuvenated in order to enable it to continue with its advocacy work and monitoring of government accountability. The institutional structure of civil society needed to be strengthened in order to ensure such continuity and safeguard its autonomy.

57. **Ms. Hofmeister** said that it was regrettable that the State party had still not withdrawn its reservation to article 9 (2) of the Convention. It was also regrettable that it was not a party to the Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness.

58. Because of discriminatory provisions in the Constitution preventing women from transmitting their nationality to their children, there were many situations in which the children of Bahamian women married to foreign men risked becoming stateless persons, whereas the children of Bahamian men were not similarly disadvantaged. Moreover, although such stateless children were entitled to apply for naturalization, they could do so only between the ages of 18 and 21. Non-citizenship could entail detention or even deportation and was an obstacle in the areas of education, health care and employment. The large minority of Haitians were particularly affected. She would like to know what was being done to change the situation of Bahamian mothers in line with the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women. In light of the failure of the previous two referendums on gender equality, she wondered whether any awareness-raising campaigns were being conducted to educate and prepare voters for a third referendum in order to bring the State party into conformity with its international obligations.

59. She would be grateful if the delegation could describe the obstacles preventing a single Bahamian mother from registering her child at birth. She asked what steps were planned to implement the Convention in accordance with the State party's concept of women's rights as human rights on the one hand and to align its domestic legislation with the principle of gender equality on the other. She wondered whether it was indeed the case that dual citizenship was prohibited in the State party. Lastly, she said that she would welcome some information on mixed migration movements.

60. **Mr. Campbell** (Bahamas) said that any children born in the Bahamas after 1973 to parents born elsewhere were not legally stateless, since they had the option of taking their parents' nationality up to the age of 18, when they could apply for Bahamian citizenship. They could also apply for a form of interim residence status that conferred all freedoms, access to services and rights of entry and exit until such time as they could apply for citizenship. For Haitians, it was nevertheless true that the second generation were effectively stateless, as the Constitution of Haiti did not recognize their parents' right to transfer Haitian citizenship. It was clear that the Bahamas was lagging behind in that regard, but the Government had set up the Immigration Board precisely to address the issues.

61. **Ms. Major** (Bahamas) said that it was true that dual citizenship was not permitted. A single Bahamian mother could transmit her citizenship to her child wherever he or she was born. A child born in the Bahamas to a Bahamian woman married to a non-Bahamian would obtain citizenship at birth. A child born outside the Bahamas to a Bahamian woman married to a non-Bahamian man would not automatically become Bahamian but the mother had the constitutional right to apply for citizenship on his or her behalf; it was rare for such applications to be denied.

62. Since February, the Immigration Board had considered more than 200 naturalization applications from young people between the ages of 18 and 21. The Board had been established as a matter of top priority under an executive order from the Prime Minister's office, with a mandate to tackle the backlog of applications with a view to minimizing the risk of statelessness. In addition, the Government was reviewing the two conventions on statelessness.

63. **Ms. Higgs** (Bahamas) said that there was no legal impediment to women's taking part in the political process. The problem was the historical legacy of an essentially patriarchal system. In an effort to challenge that system, a major conference of women from all political parties was planned for November 2018. The aim was to craft a document that would provide a template for girls and women seeking greater participation in public and political life.

64. As to support for civil society, she said that exchanges between government departments and the umbrella organization Civil Society Bahamas had resulted in a grant of official funding. The hope was to institutionalize such support. There were over 200 registered NGOs, many of whom were invited to meet with her department each month.

65. **Ms. Hofmeister** asked what nationality a child born in the Bahamas to foreign nationals had. If the child was Haitian, could he or she change citizenship at the age of 18? What personal identity documents did such children hold before the age of 18 if they were not Bahamian citizens?

66. **Mr. Campbell** (Bahamas) said that such children had their parents' nationality until they reached the age of 18. With a special interim residence permit they were able to travel and engage in all other necessary transactions. When applying for citizenship at the age of 18, they would need to submit their birth certificate and school records and would be required to renounce their previous nationality.

67. **Ms. Hofmeister** asked when the person would receive a Bahamian passport.

68. **Mr. Campbell** (Bahamas) replied that that was the problem the Immigration Board had been established to resolve. Given the huge backlog, the Board was proceeding by separating out clear-cut cases from more complex ones that required closer verification, where applicants would need to wait longer for a decision. The latter arose from situations where the child's parents had left the Bahamas or been deported, for example, or where the child had left and returned.

Articles 10 to 14

69. **Ms. Arocha Dominguez** asked whether she was correct in thinking that the school enrolment rate for girls over the age of 15 had declined since 1995. If so, she would like to know what the cause might be. She wondered what groups of women — immigrants, Haitians, residents of the more remote islands, for example — were affected. What educational provision was made by the Government to help them to catch up, and how did it ensure that the situation was not reproduced over time?

70. She would appreciate information on the impact of the policy requiring children to have a passport of their own nationality before they could attend school, in particular its impact on Haitian children. She asked what happened in cases where families were afraid to apply for a passport because they might risk deportation because of their migration status.

71. In general, with near-universal educational coverage, Bahamian women were very highly educated. She understood that there was even concern about boys lagging behind, as one factor in levels of violence against women could be a lower standard of education among men. Another concern in that regard was the difference in the quality of public and private education. She wondered what the impact on girls might be of differences in teaching materials, in teacher-pupil ratios and in Internet access.

72. In terms of vocational training, which, for children who were not doing well in school, offered a good alternative to dropping out, she would be interested to learn about any gender bias that might channel children into training in areas traditionally associated with their sex. Such practices ultimately had an impact on earning power later in life, given the pay differences between traditionally male and traditionally female occupations.

73. Efforts were clearly being made to eliminate gender stereotypes in the State party's school system, for example by redesigning textbooks and reforming the curriculum. Yet ultimately the success of such measures depended on the teachers — both men and women — responsible for communicating the new ideas. She would appreciate information on the training teachers received in that regard, particularly the training provided to teachers in the

outlying islands. She also wondered how issues of gender and gender equality were dealt with in the private sector, including church schools.

The meeting rose at 1 p.m.